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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,151	07/10/2003	Jonathan W. Goodin	2600.2.13	1392
21552	7590	10/28/2005	EXAMINER	
MADSON & METCALF GATEWAY TOWER WEST SUITE 900 15 WEST SOUTH TEMPLE SALT LAKE CITY, UT 84101			CHU, JOHN S Y	
			ART UNIT	PAPER NUMBER
			1752	
DATE MAILED: 10/28/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/617,151	Applicant(s) GOODIN ET AL.	
	Examiner John S. Chu	Art Unit 1752	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,7,8 and 10-65 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,7,8 and 10-65 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is a supplemental Office action to the Office action of September 12, 2005.

1. The rejection under 35 U.S.C. 102(e) as being clearly anticipated by DEUTSCH et al (6,691,618) is **withdrawn** in view of the amendment by applicant wherein the mask is formed on a surface of said radiation-sensitive imageable medium without substantially chemically altering said radiation-imageable medium.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3, 4, 7, 8, 10-17, 19 and 48-65 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by HALLMAN et al (6,187,380).

The claimed invention is now drawn to the following:

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1. (Currently Amended) A method for making a negative-working lithographic master for wet offset lithographic printing of an image on a printing medium, comprising the steps of:
 - (a) coating a layer of positive-working radiation-imageable medium onto a hydrophilic lithographic base;
 - (b) forming a mask on the a surface of said radiation-imageable medium without substantially chemically altering said radiation-imageable medium, said mask being in the form of said image to create masked areas and unmasked areas and said mask substantially resistant to a developer; and
 - (c) without allowing said radiation-imageable medium to become substantially exposed by ultraviolet radiation, exposing said layer of radiation-imageable medium to said developer to remove the areas of said radiation-imageable medium that are not covered by said mask said radiation-imageable medium from said unmasked areas and to uncover said hydrophilic lithographic base in said unmasked areas.

HALLMAN et al '380 anticipates the claimed invention at Example 1. Example 1 anticipates the claimed method for making a negative-working lithographic master for wet offset lithographic printing of an image on printing medium. Example 1 discloses a photosensitive coating which is jetted with a liquid inkjet ink to form a pattern . That step is followed by an development to remove the non-image area. The claims as amended have are anticipated by Example 1.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3, 4 and 7, 8, 10-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over HALLMAN et al '380 in view of MAHOTRA et al or EVANS et al

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The claimed invention has been recited above and is included by reference.

HALLMAN et al has been discussed above and is included by reference for the disclosure relating to the use of inkjet ink as a masking fluid for forming patterned areas on a printing plate precursor.

MAHOTRA et al and EVANS et al are cited to disclose the composition of inkjet ink compositions wherein the compositions include nitrogen containing compounds and ketone compounds in the ink compositions, see column 6, lines 50-55 in MALHOTRA et al and column 4, lines 5-10 in EVANS et al.

It would have been *prima facie* obvious to one of ordinary skill in the art of lithographic printing plate to use know inkjet inks as a pattern forming mask comprising conventional ingredients such as flavones and nitrogen containing compounds in the inkjet ingredients as recite in MALHOTRA et al or EVANS et al with the reasonable expectations of same or similar results with respect to efficiency and economy when imaging by ink.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Chu whose telephone number is (571) 272-1329. The examiner can normally be reached on Monday - Friday from 9:30 am to 6:00 pm.

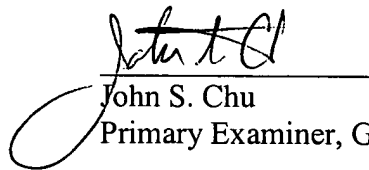
The fax phone number for the USPTO is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-1700.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PMR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



John S. Chu
Primary Examiner, Group 1700

J.Chu
October 25, 2005